

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:03CR3098
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
CLARENCE EDWARD DUELL, JR.,)	
)	
Defendant.)	

This matter comes on to consider the government's request for hearing (filing 52) on its motion for reduction of sentence pursuant to Rule 35(b) (filing 50). Having considered the matter,

IT IS ORDERED that:

- (1) The government's request for hearing (filing 52) is granted;
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 50) has been set before the undersigned United States district judge at 1:00 p.m., on Friday, September 2, 2005, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska;
- (3) At the request of the defendant through his counsel, the defendant will participate in the hearing by telephone;
- (4) The Marshal is directed not to return the defendant to the district; and
- (5) The defendant is held to have waived his right to be present.

August 18, 2005.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge